

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WESLEY BATTEY, JR.,

Plaintiff,

v.

U.S. SOCIAL SECURITY ADMIN.,

Defendant.

Case No. 2:24-cv-00095-NJK

ORDER

[Docket No. 9]

On January 10, 2024, *pro se* Plaintiff Wesley Battey, Jr., an inmate in the custody of the Clark County Detention Center, submitted an application to proceed *in forma pauperis* and a complaint. Docket Nos. 3, 3-1. Plaintiff's application to proceed *in forma pauperis*, however, was incomplete. *See* Docket No. 3. On January 17, 2024, the Court ordered Plaintiff to file a complete application to proceed *in forma pauperis* by March 15, 2024. Docket No. 5. Plaintiff did not do so. On March 18, 2024, the Court ordered Plaintiff to file a complete application to proceed *in forma pauperis* by April 15, 2024. Docket No. 7. Plaintiff has now filed a renewed application to proceed *in forma pauperis*. Docket No. 9.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. *See* 28 U.S.C. § 1914(b). "Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*." LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court's approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court's approved form, that is properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust**

1 **fund account statement for the previous six-month period.** *See* 28 U.S.C. § 1915(a)(1)–(2);
2 LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her obligation to pay the
3 filing fee, it just means that the inmate can pay the fee in installments. *See* 28 U.S.C. § 1915(b).

4 Plaintiff's renewed application to proceed *in forma pauperis* remains deficient. *See* Docket
5 No. 9. In particular, the application continues to lack a copy of Plaintiff's prison or jail trust fund
6 account statement for the previous six-month period. *See* 28 U.S.C. § 1915(a)(1) - (2); LSR 1-2.
7 The Court hereby **DEFERS** ruling on the renewed application to proceed *in forma pauperis*
8 application in **ABEYANCE**. Plaintiff must file a copy of his trust fund account statement by May
9 24, 2024. **FAILURE TO COMPLY WITH THIS ORDER MAY RESULT IN DENIAL OF**
10 **THE APPLICATION TO PROCEED IN FORMA PAUPERIS AND DISMISSAL OF THE**
11 **CASE WITHOUT PREJUDICE.**

12 IT IS SO ORDERED.

13 DATED: April 19, 2024

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18 NANCY J. KOPPE
19 UNITED STATES MAGISTRATE JUDGE
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